

**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY**

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State of California  
Department of Consumer Affairs  
Arnold Schwarzenegger, Governor



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**CALIFORNIA BOARD OF OCCUPATIONAL THERAPY  
BOARD MEETING MINUTES**

**January 26, 2006  
Ontario, California**

**Board Members Present**

Luella Grangaard, President

Margaret Cunningham

Mary Evert

Christine Wietlisbach

**Staff Present**

Heather Martin, Executive Officer

Norine Marks, Legal Counsel

Jeff Hanson, Staff Services Analyst

**A. Call to Order, Roll Call, Establishment of a Quorum**

President Luella Grangaard called the meeting to order at 8:39 a.m. Secretary Mary Evert called the roll. A quorum of the Board was present.

**B. President's Remarks**

Ms. Grangaard thanked everyone for attending. She explained that the Board does its work during Board meetings and, therefore, may not always recognize or respond to public comments immediately, but will recognize public comments at some point during the meeting.

**C. Approval of the November 4, 2005 Board Meeting Minutes**

The Board reviewed the November 4, 2005 Board meeting minutes. Members had concerns that relevant language is missing from Item G. Staff was directed to listen to the meeting tape and revise if the minutes necessary. The minutes will be brought to the next Board meeting for approval.

**D. Election of Officers**

- ♦ **Christine Wietlisbach moved to have officers remain the same: Luella Grangaard, President; Margaret Cunningham, Vice President; Mary Evert, Secretary.**
- ♦ **Margaret Cunningham seconded the motion.**
- ♦ **The motion carried unanimously.**

## **E. Executive Officer's Report**

### **1. Sunset Review Report**

Heather Martin, Executive Officer, reported that she attended the Sunset Review Hearing on December 6, 2005.

### **2. Legislation Update**

Ms. Martin reported that the Occupational Therapy Association of California (OTAC) is seeking legislation that would amend the Occupational Therapy Practice Act to designate occupational therapy assistants as licensed instead of certified.

She also reported that legislation to implement a retired license status and modified the out-of-state practice exemption have been placed on hold pending the Sunrise bill.

### **3. Budget Report**

Ms. Martin provided expenditure data through December 31, 2005, and a fund condition with budget projections for the next five fiscal years.

### **4. Personnel Updates**

Ms. Martin reported that two new employees have been hired. Nicole McCuster is an Office Technician who will be working on the continuing competency audits and outreach efforts. Cricket Borges is a Management Services Technician who will be working on enforcement cases specifically citations and fines.

### **5. Advanced Practice - Hand Therapy**

Ms. Martin provided the following: (1) copies of letters sent to the American Occupational Therapy Association, the Hand Therapy Certification Commission, and the American Society of Hand Therapists regarding advanced practice in hand therapy, (2) copies of a licensee's complaint regarding the use of "HTC", (3) competencies in hand therapy from the Journal of Hand Therapy, and (4) the definition of hand therapy and scope of practice of certified hand therapists (Hand Therapy Certification Commission, 2002).

### **6. Other Informational Items**

Ms. Martin provided cost information from the Department of Consumer Affairs regarding participation in the Department's Applicant Tracking System (ATS). Due to the number of applicants and the per applicant cost, Ms. Martin recommended that the Board research iLicensing instead of ATS. Capabilities

of licensing include, among other things, the ability for licensees to renew their licenses online.

**F. Discussion of continuing competency audit procedures/requirements**

Ms. Martin discussed the continuing competency audit requirements and procedures, which were provided to Board members.

- ◆ **Mary Evert moved to have the Practice Committee review the continuing competency audit procedure "Items for action/consideration" and report back to the Board.**
- ◆ **Margaret Cunningham seconded the motion.**
- ◆ **The motion carried unanimously.**

**G. Discussion of and response to any issues raised by the Joint Legislative Committee on Boards, Commissions and Consumer Protection during the Sunset Review process.**

Ms. Martin requested that Board members review the *Responses to Issues/Questions For the Board of Occupational Therapy Sunset Review 2005* document provided and advise her if they have any changes or additional input. She requested that their comments be submitted by February 6, 2006.

**H. Review and Adoption of Proposed Regulations to Amend Title 16, Division 39, California Code of Regulations, Section 4130 - Fees**

Board members reviewed the language for the proposed amendments to Title 16, Division 39, California Code of Regulations, Section 4130. Language provided for review included the existing language, modified language that was adopted on August 26, 2006, and second modified language Options 1 and 2 which were noticed on January 11, 2006. Option 1 outlined reduced renewal fees based on a transition from annual to biennial renewal. Option 2 provided reduced renewal fees on an annual basis.

- ◆ **Christine Wietlisbach moved to adopt the modified text as noticed in Option 1.**
- ◆ **Mary Evert seconded the motion.**
- ◆ **The motion carried unanimously.**

**I. Review and Approval of Proposed Regulations to Amend Title 16, Division 39, California Code of Regulations Section 4154, Post Professional Education and Training, Section 4155, Advanced Practice Certification, and add Section 4156, Advanced Practice Representation.**

Board members reviewed the proposed amendments to Title 16, Division 39, California Code of Regulations, Sections 4154, 4155, and addition of Section 4156. The Board directed staff to hold a regulatory hearing to accept public comment on Friday, February

24, 2006. Two Board members were appointed to attend the public hearing. Subsequent to the hearing, the two Board members in attendance and staff will draft modified language to be reviewed by full Board at the March meeting. This item will be removed from the February 16, 2006, teleconference agenda.

Board members discussed the need for having occupational therapists who are change practice areas to demonstrate competency.

**J. Proposed Agendas**

**1. February 16, 2006, Teleconference Board Meeting**

Pomerado Hospital was added to the list of teleconference locations. Remove Item #5 - Adoption of proposed regulatory amendments to Title 16, Division 39, California Code of Regulations, Section 4154 and 4155.

**2. March 30, 2006, Board Meeting**

Add Item #5 from February 16, 2006, teleconference agenda. Add discussion on legislative items: OTA licensure vs. certification, Occupational Therapy Practice Act (OTPA) Section 2570.14 (Active practice within the past five years), and OTPA Section 2570.19 clean up.

**K. Public comment session**

No public comments.

**L. Closed session pursuant to Government Code section 11126(c)(3) to deliberate on disciplinary decisions**

The Board convened in closed session to deliberate on one disciplinary action.

**Return to Open Session**

**M. Adjournment**

The meeting adjourned at 1:48 p.m.